

IN THE CLAIMS

For the convenience of the Examiner, all pending claims of the Application are reproduced below.

1. **(Canceled)**
2. **(Currently Amended)** The method of ~~Claim 1~~ Claim 40, wherein the assessment packets comprise a plurality of real-time transfer control protocol (RTCP) packets without media.
3. **(Currently Amended)** The method of ~~Claim 1~~ Claim 40, wherein the at least one network parameter comprises packet loss and delay.
4. **(Canceled)**
5. **(Currently Amended)** The method of ~~Claim 1~~ Claim 40, further comprising:
 monitoring the at least one network parameter; and
 selecting a Previously Presented codec from the plurality of codecs in response to a change in the at least one network parameter.
6. **(Canceled)**
7. **(Currently Amended)** The method of ~~Claim 1~~ Claim 40, wherein the selected codec requires less bandwidth, and further comprising retaining excess reserved bandwidth to facilitate a potential switch to a codec requesting more bandwidth than the selected codec.

8. **(Currently Amended)** The method of ~~Claim 1~~ Claim 40, wherein the selected codec requires more bandwidth which is unavailable, and further comprising:

storing the at least one network parameter as a first network parameter;

receiving a plurality of second assessment packets using the selected codec;

determining at least one second network parameter based on the assessment packets;

and

comparing the first network parameter to the second network parameter to determine whether to switch to the selected codec.

9. **(Currently Amended)** The method of ~~Claim 1~~ Claim 40, further comprising:

reserving, at the initiation of the communication session, a sufficient bandwidth for the least bandwidth efficient codec supported by the endpoint; and

maintaining the reservation of the sufficient bandwidth when the selected codec requires less than the sufficient bandwidth.

10. **(Currently Amended)** The method of ~~Claim 1~~ Claim 40, further comprising:

communicating a plurality of additional assessment packets to a remote endpoint; and

wherein the step of selecting comprises negotiating with the remote endpoint to select a codec.

11. **(Currently Amended)** The method of ~~Claim 1~~ Claim 40, wherein:

the media comprises voice information; and

the at least one network parameter comprises a network parameter that impacts voice quality experienced by a user participating in the communication session.

12. **(Currently Amended)** The method of ~~Claim 1~~ Claim 40, wherein the codecs implement at least a selected one of a G.711, G.723, and G.729 voice compression standard.

13. **(Currently Amended)** An apparatus for selecting one of a plurality of codecs for a communication session, comprising:

a network interface operable to receive a plurality of assessment packets;

a plurality of codecs; **and**

a processor coupled to the network interface and the codecs, the processor operable to determine at least one network parameter based on the assessment packets, the processor further operable to select one of a plurality of codecs using the at least one network parameter, **the processor further operable to request additional bandwidth if the selected codec requires more bandwidth, and the processor further operable to release excess bandwidth if the selected codec requires less bandwidth.** ~~; and~~

~~a memory operable to store codec selection data that associates the at least one network parameter to a corresponding codec, wherein the processor is operable to select the corresponding codec using the stored codec selection data.~~

14. **(Original)** The apparatus of Claim 13, wherein the assessment packets comprise a plurality of real-time transfer control protocol (RTCP) packets without media.

15. **(Original)** The apparatus of Claim 13, wherein the at least one network parameter comprises packet loss and delay.

16. **(Canceled)**

17. **(Original)** The apparatus of Claim 13, wherein the processor is further operable to:

monitor the at least one network parameter; and

select a Previously Presented codec from the plurality of codecs in response to a change in the at least one network parameter.

18. **(Canceled)**

19. **(Original)** The apparatus of Claim 13, wherein the selected codec requires less bandwidth, and the apparatus retains excess reserved bandwidth to facilitate a potential switch to a codec requesting more bandwidth than the selected codec.

20. **(Original)** The apparatus of Claim 13, wherein the selected codec requires more bandwidth which is unavailable, and the processor is operable to:

store the at least one network parameter as a first network parameter;

determine at least one second network parameter based on a plurality of second assessment packets received using the selected codec; and

compare the first network parameter to the second network parameter to determine whether to switch to the selected codec.

21. **(Original)** The apparatus of Claim 13, wherein the processor is further operable to:

reserve, at the initiation of the communication session, a sufficient bandwidth for the least bandwidth efficient codec supported by the endpoint; and

maintain the reservation of the sufficient bandwidth when the selected codec requires less than the sufficient bandwidth.

22. **(Original)** The apparatus of Claim 13, wherein:

the media comprises voice information; and

the at least one network parameter comprises a network parameter that impacts voice quality experienced by a user participating in the communication session.

23. **(Original)** The apparatus of Claim 13, wherein the codecs implement at least a selected one of a G.711, G.723, and G.729 voice compression standard.

24. **(Currently Amended)** Logic encoded in media for selecting one of a plurality of codecs for a communication session, the logic operable to perform the following steps:

receiving a plurality of assessment packets;

determining at least one network parameter based on the assessment packets;

selecting one of a plurality of codecs using the at least one network parameter; ~~parameter, wherein selecting one of the plurality of codecs comprises:~~

~~retrieving pre-stored codec selection data that associates the at least one network parameter to a corresponding codec; and~~

~~selecting the corresponding codec using the pre-stored codec selection data;~~

requesting additional bandwidth if the selected codec requires more bandwidth;

releasing excess bandwidth if the selected codec requires less bandwidth; and

communicating media using the selected codec.

25. **(Original)** The logic encoded in media of Claim 24, wherein the assessment packets comprise a plurality of real-time transfer control protocol (RTCP) packets without media.

26. **(Original)** The logic encoded in media of Claim 24, wherein the at least one network parameter comprises packet loss and delay.

27. **(Canceled)**

28. **(Original)** The logic encoded in media of Claim 24, further comprising:
monitoring the at least one network parameter; and
selecting a Previously Presented codec from the plurality of codecs in response to a change in the at least one network parameter.

29. **(Canceled)**

30. **(Original)** The logic encoded in media of Claim 24, wherein the selected codec requires less bandwidth, and further comprising retaining excess reserved bandwidth to facilitate a potential switch to a codec requesting more bandwidth than the selected codec.

31. **(Original)** The logic encoded in media of Claim 24, wherein the selected codec requires more bandwidth which is unavailable, and further comprising:

storing the at least one network parameter as a first network parameter;

receiving a plurality of second assessment packets using the selected codec;

determining at least one second network parameter based on the assessment packets;

and

comparing the first network parameter to the second network parameter to determine whether to switch to the selected codec.

32. **(Original)** The logic encoded in media of Claim 24, further comprising:

reserving, at the initiation of the communication session, a sufficient bandwidth for the least bandwidth efficient codec supported by the endpoint; and

maintaining the reservation of the sufficient bandwidth when the selected codec requires less than the sufficient bandwidth.

33. **(Previously Presented)** The logic encoded in media of Claim 24, further comprising:

communicating a plurality of additional assessment packets to a remote endpoint; and

wherein the step of selecting comprises negotiating with the remote endpoint to select a codec.

34. **(Original)** The logic encoded in media of Claim 24, wherein:

the media comprises voice information; and

the at least one network parameter comprises a network parameter that impacts voice quality experienced by a user participating in the communication session.

35. **(Original)** The logic encoded in media of Claim 24, wherein the codecs implement at least a selected one of a G.711, G.723, and G.729 voice compression standard.

36. **(Currently Amended)** An apparatus for selecting one of a plurality of codecs for a communication session, the apparatus comprising:

means for receiving a plurality of assessment packets;

means for determining at least one network parameter based on the assessment packets;

means for selecting one of a plurality of codecs using the at least one network ~~parameter; parameter, wherein means for selecting one of the plurality of codecs comprises:~~

~~means for retrieving pre-stored codec selection data that associates the at least one network parameter to a corresponding codec; and~~

~~means for selecting the corresponding codec using the pre-stored codec selection data;~~

means for requesting additional bandwidth if the selected codec requires more bandwidth;

means for releasing excess bandwidth if the selected codec requires less bandwidth; and

means for communicating media using the selected codec.

37. **(Original)** The apparatus of Claim 36, wherein the assessment packets comprise a plurality of real-time transfer control protocol (RTCP) packets without media.

38. **(Original)** The apparatus of Claim 36, wherein the at least one network parameter comprises packet loss and delay.

39. **(Original)** The apparatus of Claim 36, wherein:
the media comprises voice information; and
the at least one network parameter comprises a network parameter that impacts voice quality experienced by a user participating in the communication session.

40. **(Previously Presented)** A method for selecting one of a plurality of codecs for a communication session, the method comprising the following steps performed by an endpoint participating in the communication session:

- receiving a plurality of assessment packets;
- determining at least one network parameter based on the assessment packets;
- selecting one of a plurality of codecs using the at least one network parameter;
- requesting additional bandwidth if the selected codec requires more bandwidth;
- releasing excess bandwidth if the selected codec requires less bandwidth; and
- communicating media using the selected codec.

41. **(Previously Presented)** A method for selecting one of a plurality of codecs for a communication session, the method comprising the following steps performed by an endpoint participating in the communication session:

- receiving a plurality of assessment packets;
- determining at least one network parameter based on the assessment packets;
- selecting one of a plurality of codecs using the at least one network parameter, wherein the selected codec requires less bandwidth;
- retaining excess reserved bandwidth to facilitate a potential switch to a codec requesting more bandwidth than the selected code; and
- communicating media using the selected codec.

42. **(Previously Presented)** A method for selecting one of a plurality of codecs for a communication session, the method comprising the following steps performed by an endpoint participating in the communication session:

- receiving a plurality of assessment packets;
- determining at least one network parameter based on the assessment packets;
- selecting one of a plurality of codecs using the at least one network parameter, wherein the selected codec requires more bandwidth which is unavailable;
- storing the at least one network parameter as a first network parameter;
- receiving a plurality of second assessment packets using the selected codec;
- determining at least one second network parameter based on the assessment packets;
- comparing the first network parameter to the second network parameter to determine whether to switch to the selected codec; and
- communicating media using the selected codec.

43. **(Previously Presented)** A method for selecting one of a plurality of codecs for a communication session, the method comprising the following steps performed by an endpoint participating in the communication session:

- receiving a plurality of assessment packets;
- determining at least one network parameter based on the assessment packets;
- selecting one of a plurality of codecs using the at least one network parameter;
- reserving, at the initiation of the communication session, a sufficient bandwidth for the least bandwidth efficient codec supported by the endpoint;
- maintaining the reservation of the sufficient bandwidth when the selected codec requires less than the sufficient bandwidth; and
- communicating media using the selected codec.

44. **(Previously Presented)** A method for selecting one of a plurality of codecs for a communication session, the method comprising the following steps performed by an endpoint participating in the communication session:

- receiving a plurality of assessment packets;
- determining at least one network parameter based on the assessment packets;
- communicating a plurality of additional assessment packets to a remote endpoint;
- selecting one of a plurality of codecs using the at least one network parameter, wherein selecting one of the plurality of codecs comprises negotiating with the remote endpoint to select a codec; and
- communicating media using the selected codec.

45. **(New)** The method of Claim 40, wherein selecting one of a plurality of codecs comprises:

- retrieving pre-stored codec selection data that associates the at least one network parameter to a corresponding codec; and
- selecting the corresponding codec using the pre-stored codec selection data.

46. **(New)** The apparatus of Claim 13, further comprising a memory operable to store codec selection data that associates the at least one network parameter to a corresponding codec, wherein the processor is operable to select the corresponding codec using the stored codec selection data.

47. **(New)** The logic encoded in media of Claim 24, wherein selecting one of a plurality of codecs comprises:

- retrieving pre-stored codec selection data that associates the at least one network parameter to a corresponding codec; and
- selecting the corresponding codec using the pre-stored codec selection data.